

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

UTHERVERSE GAMING, LLC,

**Plaintiff,**

V.

EPIC GAMES, INC.,

**Defendant.**

Case No. 2:21-cv-799-RSM-TLF

**ORDER ON DEFENDANT'S  
MOTION FOR SUMMARY  
JUDGMENT (DKT. 300)**

The Court, having reviewed the Report and Recommendation of Judge Theresa L. Fricke, United States Magistrate Judge, objections to the report and recommendation, if any, and the remaining record, does hereby find and ORDER:

- (1) the Court adopts the Report and Recommendation;
  - (2) Defendant's motion for summary judgment on non-infringement regarding all claims of the '071 Patent is GRANTED
  - (3) Defendant's motion for summary judgment as to each claim asserted for the '605 Patent is DENIED.
  - (4) Defendant's motion for summary judgment as to the '071 Patent on the basis it is invalid is GRANTED; and
  - (5) [If the Court if the Court denies defendant's motion for summary judgment on the other issues pertaining to the '071 Patent, Defendant's motion for summary judgment as to whether the marking statute was complied with is DENIED]

1 Dated this \_\_\_\_ day of January, 2024  
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Ricardo S. Martinez  
United States District Judge